

9 FAM 40.201 FAILURE OF APPLICATION TO COMPLY WITH INA

(TL:VISA-515; 01-29-2003)

(A) REFUSAL UNDER INA 221(G).

(TL:VISA-515; 01-29-2003)

The consular officer shall refuse an alien's visa application under INA 221(g)(2) as failing to comply with the provisions of INA or the implementing regulations if:

- (1) The applicant fails to furnish information as required by law or regulations;
- (2) The application contains a false or incorrect statement or other than one, which would constitute a ground of ineligibility under INA 212(a)(6)(C);
- (3) The application is not supported by the documents required by law or regulations;
- (4) The applicant refuses to be fingerprinted as required by regulations;
- (5) The necessary fee is not paid for the issuance of the visa or, in the case of an immigrant visa, for the application therefore;
- (6) In the case of an immigrant visa application, the alien fails to swear to, or affirm, the application before the consular officer; or
- (7) The application otherwise fails to meet specific requirements of law or regulations for reasons for which the alien is responsible.

(B) RECONSIDERATION OF REFUSALS.

(TL:VISA-46; 8-26-91)

A refusal of a visa application under paragraph (a)(1) of this section does not bar reconsideration of the application upon compliance by the applicant with the requirements of INA and the implementing regulations or consideration of a subsequent application submitted by the same applicant.

9 FAM 40.201 RELATED STATUTORY PROVISIONS

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See 22 CFR 40.201 and INA 221(g)